

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-109737-001 SE

12/11/2015

HONORABLE HUGH HEGYI

CLERK OF THE COURT
S. Radwanski
Deputy

STATE OF ARIZONA

NICHOLAS D MICHAUD

v.

COLLIN JEFFERY DOZBABA (001)

COLLIN JEFFERY DOZBABA
716 E. 7TH ST.
MESA AZ 85203

MINUTE ENTRY

The Court has considered Defendant's November 9, 2015 Application to Designate a Class 6 Undesignated Felony as a Misdemeanor (hereafter referred to as the "Application") and the State's November 19, 2015 Objection to the Application ("Objection").

No reply having been received, the Court notes that the Application does not specify which count Defendant requests be designated as a misdemeanor. Defendant was convicted of Facilitation to Commit Trafficking in Stolen Property in the Second Degree in both Counts 1 and 2. The Court construes Defendant's Application to request that both offenses be designated.

The State's Response asserts that these matters have previously been designated as felonies, but fails to state when and by what means the State believes that to have happened. The plea agreement and sentencing Minute Entry refer to the offenses as "Class 6 felon[ies]", a rubric presumptively creating undesignated offenses.

Good cause appearing,

IT IS ORDERED granting the Application in part and designating the offense in Count 1 as a misdemeanor.

IT IS FURTHER ORDERED denying the Application with regard to Count 2, which shall remain undesignated.